

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

EBERAIA D. FIELDS,

Petitioner,

v.

CAUSE NO. 3:22-CV-446-RLM-MGG

WARDEN,

Respondent.

OPINION AND ORDER

Eberaia D. Fields, a prisoner without a lawyer, filed a habeas corpus petition challenging the disciplinary decision at the Cass County Jail in which a disciplinary hearing officer found him guilty of fighting in violation of Indiana Department of Correction Offense 212. Mr. Fields wasn't sanctioned with a loss of earned credit time or a demotion in credit class, but he received a higher security level for classification purposes when he transferred into the custody of the Indiana Department of Correction. Under Section 2254 Habeas Corpus Rule 4, the court must dismiss the petition "[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court."

"[A] habeas corpus petition must attack the fact or duration of one's sentence; if it does not, it does not state a proper basis for relief under § 2254." Washington v. Smith, 564 F.3d 1350, 1351 (7th Cir. 2009). According to Mr. Fields, the disciplinary proceedings didn't result in sanctions that increased the duration of Mr. Fields'

sentence. The court can't grant Mr. Fields habeas relief because his claims don't relate to the fact or duration of his sentence.

If Mr. Fields wants to appeal this decision, he doesn't need a certificate of appealability because he is challenging a prison disciplinary proceeding. See Evans v. Circuit Court, 569 F.3d 665, 666 (7th Cir. 2009). However, he can't proceed in forma pauperis on appeal because the court finds pursuant to 28 U.S.C. § 1915(a)(3) that an appeal in this case could not be taken in good faith.

For these reasons, the court:

- (1) DENIES the habeas corpus petition (ECF 1);
- (2) DIRECTS the clerk to enter judgment and close this case; and
- (3) DENIES Eberaia D. Fields leave to proceed in forma pauperis on appeal.

SO ORDERED on June 21, 2022

s/ Robert L. Miller, Jr. \_\_\_\_\_  
JUDGE  
UNITED STATES DISTRICT COURT